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| Respondent. | \$ | | | | |

ORDER OVERRULING OBJECTIONS, ADOPTING REPORT AND RECOMMENDATION, and DENYING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court an application for a writ of habeas corpus by a person in state custody. On September 27, 2005, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that habeas relief be denied. On October 6, 2005, petitioner filed objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case. The objections filed by petitioner are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is hereby DENIED. Let judgment be entered accordingly.

IT IS SO ORDERED.

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MARY LOU ROBINSON

UNITED STATES DISTRICT JUDGE